

Court of Appeals, Division One
Criminal - Anders Appeal

1 CA-CR 14-0199

STATE v. HOFFMAN

Appellate Case Information

Case Filed: 27-Mar-2014
Case Closed:

Dept/Composition

Department C

Hon. Kenton D Jones
Hon. Peter B Swann
Hon. Samuel A Thumma

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Andrew Reilly, Esq. (AZ Bar No. 29138)

Side 2. MICHAEL JAMES HOFFMAN, Appellant

(Litigant Group) MICHAEL JAMES HOFFMAN

- Michael James Hoffman

Attorneys for: Appellant

Terry Reid, Esq. (AZ Bar No. 20643)

CASE STATUS

Jul 12, 2016.....Pending Closure

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2012-007254-001			Warren J Granville, Sentencing	JURY	

DESCENDENT CASE(S)

ASC
CR-16-0079-PR

OPEN DUE DATE

Stay request (re: Writ of Certiorari) due

Due By:

Monday, August 1, 2016

Re: Minute Letter of ASC: Petition for Review DENIED

CASE DECISION

28-Jan-2016 **MEMORANDUM DECISION**

Kenton Jones.....Author
Peter Swann.....Concur
Samuel Thumma.....Concur

Filed: 28-Jan-2016

Mandate:

Decision Disposition

Affirmed

76 PROCEEDING ENTRIES

- 27-Mar-2014 FILED: Notice of Appeal from Maricopa County Superior Court filed 03/24/2014. Notification to Court Reporters dated 03/26/2014
- 2-May-2014 FILED: Reporter's Transcript 12/17/2013 Trial Day 15 A.M. (Marla Arnold)
- 6-May-2014 FILED: Reporter's Transcript of Proceedings-11/18/2013-Jury Voir Dire-(Elva Cruz-Lauer)
- 6-May-2014 FILED: Reporter's Transcript of Proceedings-11/19/2013-Jury Voir Dire-(Elva Cruz-Lauer)
- 6-May-2014 FILED: Reporter's Transcript of Proceedings-11/21/2013-Trial-(Elva Cruz-Lauer)
- 6-May-2014 FILED: Reporter's Transcript of Proceedings-11/25/2013-Trial-(Elva Cruz-Lauer)
- 6-May-2014 FILED: Reporter's Transcript of Proceedings-12/04/2013-Trial-(Elva Cruz-Lauer)
- 6-May-2014 FILED: Reporter's Transcript of Proceedings-12/09/2013-Trial-(Elva Cruz-Lauer)
- 6-May-2014 FILED: Reporter's Transcript of Proceedings-12/03/2013-Trial-(Elva Cruz-Lauer)

Court of Appeals, Division One
Criminal - Anders Appeal

1 CA-CR 14-0199

STATE v. HOFFMAN

76 PROCEEDING ENTRIES

10. 7-May-2014 FILED: e-Record on Appeal:
Instruments/Minute Entries: Combined
Disposition Report: None
Exhibits: None
11. 7-May-2014 FILED: Additional Record on Appeal
Exhibits:
Hearing Date 11/19/2013 - List # 1 2 3 4 5 6 7 10 11 12 13 15 16 22 23 24 25 29 30 31 32 in a Manila Envelope
Sealed Items:
Confidential Criminal History Addendum in Sealed Manila Envelope
12. 8-May-2014 FILED: Reporter Transcript - Settlement Conference - 11/27/12 (Pamela Remus)
13. 9-May-2014 FILED: Untitled Letter from Court Reporter re: Requesting Extension of Time to File Transcripts (Cindy Lineburg)
14. 12-May-2014 ORDERED: Court Reporter Antoinette Salazar due date EXTENDED from Thursday, 05-08-2014 to Wednesday, 06-11-2014 for transcript of proceedings held on 04/01/2013. Hon Michael J Brown - Author
15. 12-May-2014 ORDERED: Untitled Letter from Court Reporter re: Requesting Extension of Time to File Transcripts (Cindy Lineburg) = GRANTED. Due Dates EXTENDED to 06/11/2014 for Transcripts dated 08/21/2013, 11/18/2013, 11/20/2013, 11/26/2013, 12/03/2013, 12/10/2013, 03/04/2014. Hon Michael J Brown - Author
16. 12-May-2014 ORDERED: Court Reporter Elva Cruz-Lauer due dates EXTENDED to 06/11/2014 for Transcripts dated 08/14/2013, 11/12/2013, 12/05/2013, 12/09/2013. Hon Michael J Brown - Author
17. 2-Jun-2014 FILED: Additional Instrument, filed in Maricopa County Superior Court on 5/29/14 re: Notice of Post-Conviction Relief (Of Right) (Petitioner Pro Per)
18. 11-Jun-2014 FILED: Reporter's Transcript - 08/21/13 - TMC (Cindy Lineburg)
19. 13-Jun-2014 FILED: Reporter's Transcript of Proceedings- 12/10/2013 -Jury Question-(Elva Cruz-Lauer)
20. 13-Jun-2014 FILED: Reporter's transcript of Proceedings- 08/14/2013 -Trial Management Conf- (Elva Cruz-Lauer)
21. 13-Jun-2014 FILED: Reporter's Transcript of Proceedings- 11/12/2013 -Pretrial Conference- (Elva Cruz-Lauer)
22. 13-Jun-2014 FILED: Reporter's Transcript of Proceedings- 12/05/2013 -Settling Jury Instructions- (Elva Cruz-Lauer)
23. 13-Jun-2014 FILED: Reporter's Transcript of Proceedings- 12/09/2013 -Trial-(Elva Cruz-Lauer)
24. 5-Jul-2014 FILED: Reporter's Transcript - 03/04/2014 - Sentencing (Cindy Lineburg)
25. 5-Jul-2014 FILED: Reporter's Transcript - 11/18/2013 - Trial PM (Cindy Lineburg)
26. 5-Jul-2014 FILED: Reporter's Transcript - 11/20/2013 - Trial (Cindy Lineburg)
27. 5-Jul-2014 FILED: Reporter's Transcript - 11/26/2013 - Trial AM (Cindy Lineburg)
28. 5-Jul-2014 FILED: Reporter's Transcript - 12/03/2013 - Trial PM (Cindy Lineburg)
29. 5-Jul-2014 FILED: Affidavit of No Appearance (Cindy Lineburg)
30. 8-Jul-2014 ORDERED: Court Reporter Antoinette Salazar transcript held on 4/1/13 due date EXTENDED from Wednesday, 06-11-2014 to Thursday, 08-07-2014. FURTHER ORDERED: If transcript not filed by date above, Antoinette Salazar is to appear before this court on Wednesday, 8/20/14 at 2:30 pm, Dept. E, to show cause why sanctions should not be imposed. Hon Michael J Brown - Author
31. 20-Jul-2014 FILED: Motion for Extension of Time (to File Transcripts) (Antoinette Salazar)
32. 4-Aug-2014 ORDERED: Motion for Extension of Time (to File Transcripts) (Antoinette Salazar) = GRANTED. Due date EXTENDED from Thursday, 08-07-2014 to Friday, 09-19-2014 for transcript held on 4/1/13. FURTHER ORDERED: If transcript not filed by date above, Antoinette Salazar is to appear before this court on Wednesday, 10/1/14 at 2:30 pm, Dept. E, to show cause why sanctions should not be imposed. Hon Michael J Brown - Author
33. 22-Aug-2014 FILED: Reporter's Transcripts: 04/01/2013 (Pretrial Conf.) (Antoinette Salazar)

Court of Appeals, Division One
Criminal - Anders Appeal

1 CA-CR 14-0199

STATE v. HOFFMAN

76 PROCEEDING ENTRIES

34. 11-Sep-2014 FILED: Notice of Completion of Record
35. 30-Sep-2014 FILED: Notice of Appearance; Certificate of Service (Appellant)
36. 27-Oct-2014 FILED: Motion to Extend Time to File Opening Brief; Motion to Supplement Appellate Record with Additional Transcripts and to Unseal Jury List; Certificate of Service (Appellant)
37. 27-Oct-2014 FILED: Motion to Stay Appeal; Motion to Remand to Trial Court to Reconstruct Record; Motion to Extend Opening Brief; Certificate of Service (Appellant)
38. 6-Nov-2014 ORDERED: Granting the motion to unseal documents (see Order). FURTHER ORDERED that after permitting the appellant or appellee to inspect and/or copy the documents in this matter, the Clerk of the Court reseal the documents. Anthony Mackey ProTem Judge - Author
39. 6-Nov-2014 ORDERED:MOTION TO SUPPLEMENT APPELLATE RECORD WITH ADDITIONAL TRANSCRIPTS (Appellant) = GRANTED/directing court reporter Elva Cruz-Lauer to file transcripts of proceedings held on 12/19/2013, 06/21/2013, 07/03/2013 no later than 12/05/2014. FURTHER ORDERED directing court reporter Antoinette Salazar to file transcript of proceedings held on 04/02/2013 no later than 12/05/2014. Anthony Mackey ProTem Judge - Author
40. 7-Nov-2014 ORDERED: Staying appeal to/including 12/22/2014 and revesting jurisdiction to superior court to permit court to rule and settle the record. FURTHER ORDERED: certified copy of superior court's written findings and /or reconstructed materials due no later than 12/23/2014. FURTHER ORDERED appeal shall be automatically reinstated 12/23/2014 without further order. FURTHER ORDERED: Motion to Extend Time to File Opening Brief(Appellant) = GRANTED. Due date EXTENDED from Monday, 10-27-2014 to Thursday, 01-22-2015 Anthony Mackey ProTem Judge - Author
41. 30-Dec-2014 FILED: Motion to Compel Production of Transcript; Motion to Extend Time to File Opening Brief; Certificate of Service (Appellant)
42. 6-Jan-2015 ORDERED: Motion to Compel Production of Transcript; Motion to Extend Time to File Opening Brief = GRANTED/directing court reporter Elva Cruz-Lauer to file transcript of proceedings held 12/19/13 (trial day 16); 6/21/13 and 7/3/13 by 1/30/15 or OSC 2/4/15. FURTHER ORDERED: directing court reporter Antoinette Salazar to prepare transcript of proceedings held 4/2/13 by 1/30/15 or OSC 2/4/15. FURTHER ORDERED: opening brief due date EXTENDED from Thursday, 01-22-2015 to Monday, 03-02-2015. Anthony Mackey ProTem Judge - Author
43. 11-Jan-2015 FILED: Reporter's Transcripts: 04/02/2013 (Motion to Continue) (Antoinette Salazar)
44. 12-Jan-2015 FILED: Reporter's Transcripts: 04/02/2013 (amended) (Motion to Continue) (Antoinette Salazar)
45. 12-Jan-2015 FILED: Minute Entry dated 12/19/2014 re: Review Hearing
46. 12-Jan-2015 FILED: Minute Entry dated 12/19/2014 re: Reconstruction of record.
47. 3-Feb-2015 FILED: Reporter's Transcript- 06/21/2013/Hearing- (Elva Cruz-Lauer)
48. 3-Feb-2015 FILED: Reporter's Transcript-07/03/2013/Hearing- (Elva Cruz-Lauer)
49. 3-Feb-2015 FILED: Reporter's Transcript-12/19/2013/JuryQues/Argument/Verdicts- (Elva Cruz-Lauer)
50. 4-Feb-2015 FILED: Supplemented Superior Court e-Record with Revised Index of Record (Includes copies of transcripts)
51. 6-Feb-2015 FILED: Additional Record on Appeal:
Exhibits: Hearing date 12/19/14 - List and # 1, 2, 3, 4, 5, 6, 7,8 ,9, 10 in manila envelope
52. 4-Mar-2015 ORDERED: Opening Brief due date EXTENDED from Monday, 03-02-2015 to Wednesday, 04-01-2015. Fred Cole ProTem Judge - Author
53. 1-Apr-2015 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)(STRICKEN per order dated 06/02/2015)
54. 6-Apr-2015 FILED: Notice of Appearance; Certificate of Service (Appellee)
55. 14-May-2015 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)(STRICKEN per order dated 06/02/2015)
56. 26-May-2015 FILED: Motion to Strike the Opening Brief and Answering Brief and Allow Appellant to File a Supplemental Brief; Certificate of Service (Appellant)
57. 29-May-2015 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days

Court of Appeals, Division One
Criminal - Anders Appeal

1 CA-CR 14-0199

STATE v. HOFFMAN

76 PROCEEDING ENTRIES

58.	1-Jun-2015	FILED: Objection to Motion to Strike the Opening Brief and Answering Brief and Allow Appellant to File a Supplemental Brief; Certificate of Service (Appellee)
59.	2-Jun-2015	ORDERED: Motion to Strike the Opening Brief and Answering Brief and Allow Appellant to File a Supplemental Brief (Appellant) = GRANTED/Striking Opening Brief filed 05/14/2015 and Answering Brief filed 05/14/2015. FURTHER ORDERED: Brief pursuant to Anders v California due 07/01/2015. Anthony Mackey ProTem Judge - Author
60.	8-Jun-2015	FILED: Supplemented Superior Court e-Record with Revised Index of Record
61.	11-Jun-2015	FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
62.	11-Jun-2015	FILED: Motion for Leave to Allow Appellant to File Supplemental Brief In Propria Persona; Certificate of Service (Appellant)
63.	11-Jun-2015	ORDERED: Allowing appellant to file supplemental brief in propria persona; FURTHER ORDERED: Counsel to send copy of record to appellant, and copy of transmittal letter to Clerk/AG; FURTHER ORDERED: Appellant may raise additional points on/before 7/21/15; FURTHER ORDERED: Answering brief to await court order. Anthony Mackey ProTem Judge - Author
64.	12-Jun-2015	FILED: Letter, dated 06/12/2015, to Appellant from Counsel re: Forwarding Record on Appeal (Appellant)
65.	21-Jul-2015	FILED: Motion for Extension of Time in Which to File Supplemental Brief; Certificate of Service (Appellant)
66.	22-Jul-2015	ORDERED: Motion for Extension of Time in Which to File Supplemental Brief (Appellant) = GRANTED. Due date EXTENDED from Tuesday, 07-21-2015 to Friday, 08-21-2015. Anthony Mackey ProTem Judge - Author
67.	2-Sep-2015	FILED: Assigning Anders appeal to Dept C for consideration and disposition. [Ruth Willingham, Clerk]
68.	2-Sep-2015	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
69.	11-Sep-2015	FILED: Supplemented Superior Court e-Record with Revised Index of Record
70.	4-Nov-2015	FILED: Letter, 11/4/15, from Petitioner to Court, includes copy of letter sent to Judge Granville
71.	28-Jan-2016	FILED: Letter, dated 1/28/16, to Appellant from Counsel re: Right to file Petition for Review (Appellant)
72.	28-Jan-2016	MEMORANDUM DECISION (Affirmed) Hon Kenton D Jones Judge - Author; Hon Peter B Swann - Concur; Hon Samuel A Thumma - Concur (Motion for reconsideration extended thirty days from date of this decision.)
73.	28-Jan-2016	FILED: Memorandum Decision Distribution List
74.	23-Feb-2016	FILED: Email Notice from ASC re: Petition for Review filed 2/22/16; request for partial record
75.	4-Mar-2016	FILED: Letter forwarding partial record to Arizona Supreme Court
76.	12-Jul-2016	FILED: Letter from ASC, 07/12/2016, re: Petition for Review DENIED on 07/12/2016